

**DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 12, 2008 has been entered.
2. Claims 101-104 are pending.
3. The new matter rejection of claims 27 and 98 under 35 U.S.C. 112, first paragraph has been obviated by claims amendment filed August 12, 2008.
4. The written description rejection of claims 27 and 98 under 35 U.S.C. 112, first paragraph has been obviated by claims amendment filed August 12, 2008.
5. The indefinite rejection of claim 35 under 35 U.S.C. 112, second paragraph has been obviated by claims amendment filed August 12, 2008.
6. The rejection of claims 27, 35 and 100 under 35 U.S.C. 103(a) as being unpatentable over WO 99/45018 (of record, published September 1999; PTO 892) in view of Stacker et al (J Biol Chemistry 274(49) 34884-92, December 1999; PTO 892) and Lu et al (J Biol Chemistry 275(19):14321-14330, 2000; PTO 892) has been obviated by claims amendment filed August 12, 2008.
7. The rejection of claims 27, 98 and 99 under 35 U.S.C. 103(a) as being unpatentable over WO 99/45018 (of record, published September 1999; PTO 892) in view of Siemeister et al (J Biol Chemistry 273(18): 11115-11120, 1998; PTO 892) and Lu et al (J Biol Chemistry 275(19): 14321-14330, 2000; PTO 892) has been obviated by claims amendment filed August 12, 2008.

**EXAMINER'S AMENDMENT**

8. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
9. Authorization for this examiner's amendment was given in a telephone interview with Ellen N Hollcroft on February 6, 2009.
10. **In the claims:**
  - Claims 102 and 104 have been canceled.
  - Claim 101, line 1, "VEGF" has been changed to -- VEGF-A --
  - Claim 101, line 2, -- the amino acid sequence set forth in -- has been inserted after "as"
  - Claim 101, line 3, -- the amino acid sequence set forth in -- has been inserted after "as"
  - Claim 101, line 5 part a), -- the amino acid sequence set forth in -- has been inserted after "as"
  - Claim 101, line 7 part b), -- the amino acid sequence set forth in -- has been inserted after "as"
  - Claim 101, line 9 part b), "incorporated into p64K protein of *Neisseria meningitides*" has been changed to -- fused to p64K protein of *Neisseria meningitides* --
  - Claim 101, line 10 part c), -- the amino acid sequence set forth in -- has been inserted after "as"
  - Claim 101, lines 12-13 part c), "incorporated into *Neisseria meningitides* outer membrane derived VSSP" has been changed to -- noncovalently bound to very small particles (VSSP) from complex of outer membrane proteins of *Neisseria meningitides* --
  - Claim 101, line 14 part d), -- the amino acid sequence set forth in -- has been inserted after "as"
  - Claim 101, line 15 part e), -- the amino acid sequence set forth in -- has been inserted after "as"
  - Claim 101, line 16 part e), "incorporated into p64K protein of *Neisseria meningitides*" has been changed to -- fused to p64K protein of *Neisseria meningitides* --

- Claim 101, line 18 part f), -- the amino acid sequence set forth in -- has been inserted after “as”
- Claim 101, lines 19-20 part f), “incorporated into *Neisseria meningitidis* outer membrane derived VSSP” has been changed to -- noncovalently bound to very small particles (VSSP) from complex of outer membrane proteins of *Neisseria meningitidis* --
- Claim 101, line 21 part g), -- the amino acid sequence set forth in -- has been inserted after “as”
- Claim 101, line 22 part h), -- the amino acid sequence set forth in -- has been inserted after “as”
- Claim 101, lines 23-24 part h), “incorporated into p64K protein of *Neisseria meningitidis*” has been changed to -- fused to p64K protein of *Neisseria meningitidis* --
- Claim 101, line 25 part i), -- the amino acid sequence set forth in -- has been inserted after “as”
- Claim 101, lines 26-27 part i), “incorporated into *Neisseria meningitidis* outer membrane derived VSSP” has been changed to -- noncovalently bound to very small particles (VSSP) from complex of outer membrane proteins of *Neisseria meningitidis* --
- Claim 101, line 28, “in single or fusion protein form,” has been deleted.
- Claim 103, line 1, “An” has been changed to -- The --
- Claim 103, line 4, “or *Neisseria meningitidis* outer membrane derived VSSP” has been changed to -- very small particles (VSSP) from complex of outer membrane proteins of *Neisseria meningitidis* --

11. Claims 101 and 103 are allowed.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Huynh whose telephone number is (571) 272-0846. The examiner can normally be reached Monday through Friday from 9:00 am to 5:30 p.m. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are

Art Unit: 1644

unsuccessful, the examiner's supervisor, Eileen B O'Hara can be reached on (571) 272-0887. The IFW official Fax number is (703) 872-9306.

13. Any information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Phuong Huynh/

Primary Examiner, Art Unit 1644

February 13, 2009